

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

ORDER OF JUDICIAL REMOVAL

CARLOS ROBERTO HERNANDEZ ACOSTA,
a/k/a "Chicho"

21 CR. 754 (VEC)

Defendant.

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Upon the application of the United States of America, by Rushmi Bhaskaran, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of CARLOS ROBERTO HERNANDEZ ACOSTA, a/k/a "Chicho," and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native and a citizen of Mexico.
3. On December 3, 2021, the defendant was paroled into the United States at Phoenix Sky Harbor International Airport, Phoenix, Arizona.
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, under Count One of the indictment, which charges the defendant with conspiracy to commit money laundering, in violation of Title 18 United States Code Section 1956(h).
5. The maximum sentence for this violation is twenty years' imprisonment.

6. The defendant is, and at sentencing will be, subject to removal from the United States pursuant to Section 212(a)(7)(B)(i)(II) of the Immigration and Nationality Act of 1952 (“INA”), as amended, 8 U.S.C. § 1182(a)(7)(B)(i)(II), as a nonimmigrant who is not in possession of a valid nonimmigrant visa or border crossing identification card at the time of application for admission; Section 212(a)(2)(A)(i)(I), as amended, 8 U.S.C. § 1182(a)(2)(A)(i)(I), as an alien who has been convicted of a crime involving moral turpitude (other than a purely political offense) or an attempt or conspiracy to commit such a crime; and Section 212(a)(2)(I)(i), as amended, 8 U.S.C. § 1182(a)(2)(I)(i), as an alien who a consular officer or the Attorney General knows, or has reason to believe, has engaged, is engaging, or seeks to enter the United States to engage, in an offense which is described in Section 1956 or 1957 of Title 18, United States Code (relating to laundering of monetary instruments).
7. The defendant has waived his right to notice and a hearing under Section 238(c) of the INA, 8 U.S.C. § 1228(c).
8. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.
9. The defendant has designated Mexico as the country for removal pursuant to Section 240(d) of the Act, 8 U.S.C. § 1229a(d).

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), that the defendant shall be removed from the United States promptly upon his release from confinement, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing, and that the defendant be ordered removed to Mexico.

Dated: New York, New York
1/23, 2023



THE HONORABLE VALERIE E. CAPRONI
UNITED STATES DISTRICT COURT JUDGE